IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

WP(Crl.).No. 130 of 2007(S)

PETITIONER:

THOMAS, AGED 54 YEARS,
S/O.DANIEL, VADAKKANPARAMBIL, KADAKKARAPPALLY
VILLAGE, KADAKKARAPPALLY P.O.

BY ADV. SRI.V.L.SHENOY

RESPONDENTS:
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1. KAVIRAJ, AGED 28 YEARS,
S/O.VIJAYAN, EIVARTHIL VEEDU, VATTAKKAL,
PATTANAKKAD VILLAGE, CHERTHALA.

2. CHANDRIKA, WIFE OF VIJAYAN,
LAST GRADE SERVANT, GOVERNMENT HOSPITAL,
CHERTHALA, ALAPPUZHA DISTRICT.

3. STATION HOUSE OFFICER,
PATTANAKKAD POLICE STATION, PATTANAKKAD.

4. DISTRICT SUPERINTENDENT OF POLICE,
ALAPPUZHA.

R1 & R2 BY ADV. SRI.N.NAGARESH
SRI.N.V.SANU

R3 & R4 BY GOVT. PLEADER SRI K.S.SANTHOSH KUMAR

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(Crl).No.130/2007

PETITIONER'S EXT:

EXT.P1 TRUE COPY OF THE COMPLAINT DTD. 20/4/2007 MADE BY THE PETITIONER BEFORE RESPONDENTS 3 AND 4.

P.R.RAMAN & K.HEMA, JJ.

W.P.(Crl).NO.130 OF 2007

Dated this the 8th day of June,2007

JUDGMENT

Raman,J.

Petitioner is the father of Lisie Thomas, who is aged 20 years. Petitioner was an employee of a Company at Cherthala. It is alleged that his daughter is illegally detained by respondents 1 and 2. Though it is alleged that the alleged detenu is seriously suffering from mental depression, no materials are produced in support thereof. However, since it is alleged that the girl is in the illegal custody of respondents 1 and 2, a direction was issued by this Court to produce the girl. Girl appeared before us. Respondents 1 and 2 also appeared. We inter acted with the girl and we understand that she is not in the illegal custody and is a free person. She is also in an advance stage of pregnancy. We are also told that she is regularly taken for medical check-up every month by her mother-in-law, who is stated to be working in the Government Hospital. Though the petitioner would submit that he wanted to take his daughter for delivery, that is not a matter within the purview of a habeas corpus writ jurisdiction. So long as the petitioner's daughter is not in the illegal custody of anybody

and is a free person capable of taking decision, we close this matter, as no further proceedings are necessary and the girl is set free.

P.R.RAMAN,
Judge.

K.HEMA,
Judge.

kcv.